

FILE COPY

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF
DISCIPLINARY PROCEEDINGS AGAINST

MAMDOUH E. EL-WAKIL, M.B.C.B.H.,
RESPONDENT.

PROPOSED ORDER

Case No. LS-9303083-MED
(88 MED 264)

PARTIES

The parties in this matter under sec. 227.44, Wis. Stats. and sec. RL 2.036, Wis. Admin. Code, and for purposes of review under sec. 227.53, Wis. Stats. are:

Mamdouh E. El-Wakil (deceased)
former address: Box 8215
Van Nuys, CA 91409

Medical Examining Board
1400 East Washington Ave.
Madison, WI 53708

Division of Enforcement
Department of Regulation and Licensing
P.O. Box 8935
Madison, WI 53708

POSTURE OF CASE

A. This case was initiated by the filing of a complaint with the Medical Examining Board on March 8, 1993. A disciplinary proceeding ("hearing") was scheduled for April 2, 1993. Notice of Hearing was prepared by the Division of Enforcement of the Department of Regulation and Licensing and sent by certified mail to the respondent at the above address. The complaint was prepared by attorney Arthur Thexton.

B. On March 9, 1993 a Notice of Appearance was filed on behalf of Dr. El-Wakil by Attorney Joseph J. Till, III, Till & Salzer, Ltd., Suite 318, 1225 Tower Ave., Superior, WI 54880. On March 10, 1993 attorney Till informed Mr. Thexton and me that Dr. El-Wakil was in California awaiting major surgery. He therefore requested a postponement of the hearing. On March 19, 1993 attorney Till filed an answer to the complaint for Dr. El-Wakil.

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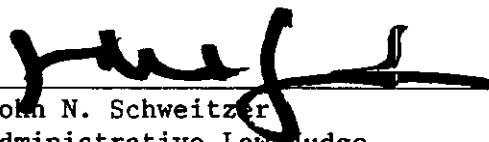
C. Prehearing conferences were held on March 12th and March 24, 1993, and the hearing was rescheduled to August 2, 1993. Another prehearing conference was held on May 2, 1993.

D. On June 10, 1993 I received a letter from attorney Till (attached to this proposed order) informing Mr. Thexton and me that Dr. El-Wakil died. Attorney Thexton indicated to me orally that he had no reason to doubt attorney Till, and that he would not require documented proof of Dr. El-Wakil's death.

ORDER

IT IS ORDERED that the complaint against Mamdouh E. El-Wakil be dismissed.

Dated June 10, 1993.


John N. Schweitzer
Administrative Law Judge

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FINAL ORDER

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The Medical Examining Board has reviewed this Proposed Order and approves it as a Final Order.

Dated 23 Jun 93, 1993.


For the Medical Examining Board

TILL & SALZER, LTD.

ATTORNEYS AT LAW
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Joseph J. Till, III*
Theodore D. Salzer*
Suzanne M. Blank*

Paul L. Witkin
of counsel

June 8, 1993

*Also licensed in Minnesota

Hon. John N. Schweitzer
Administrative Law Judge
Department of Regulation and
Licensing
P.O. Box 8935
Madison, WI 53708

Arthur Thexton
Prosecuting Attorney
Department of Regulation and
Licensing
P.O. Box 8935
Madison, WI 53708

Re: 88 Med 264, El-Wakil

Gentlemen:

This is to advise you that I will not be able to obtain the signature of Dr. El-Wakil on the Stipulation which Mr. Thexton sent to me. Dr. El-Wakil died awaiting the liver transplant, apparently, at least from what I can understand, from complications of cirrhosis. Since Dr. El-Wakil has finally and irredeemably surrendered his license, I assume this matter will now be dismissed without further proceedings. If I am incorrect in that assumption, please let me know.

Very truly yours,

TILL & SALZER, LTD.

Joseph J. Till, III.

Joseph J. Till, III.

JJT/(jab)